



## United States Department of the Interior

NATIONAL PARK SERVICE  
INTERMOUNTAIN REGION  
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March 20, 2001

In reply refer to

A76 (IMR-D)

### Memorandum

To: Acting Director, National Park Service

From: Director, Intermountain Region

Subject: Response to Cerro Grande Board of Inquiry Report

On Tuesday, February 27, the National Park Service Board of Inquiry (BOI) on the Cerro Grande Prescribed Fire submitted its final report to you. That report arrived in my office on Friday, March 2.

In his memorandum to you, which accompanied the report, the Chairman of the BOI, Midwest Regional Director Bill Schenk, stated that “while individuals adhered to the policies of the National Park Service regarding wildland fire, National Park Service policies in place at the time of the fire had weaknesses that helped contribute to the chain of events that caused the Cerro Grande Fire to escape its prescription.” The memorandum goes on to state that “the National Park Service as an institution bears substantial responsibility for the Cerro Grande Fire.”

As you know, the National Park Service has from the beginning fully accepted that responsibility, and it has spent the intervening months since the fire working with the National Interagency Fire Center and its sister federal land management agencies to address the issues raised in the various reports and inquiries concerning the fire. In doing so, we have made aggressive efforts to ensure that flawed policies have been changed; that our interactions with other agencies and local communities are being strengthened; that clearer guidance for the field is being provided; and that training is being improved and increased. Specifically, the National Park Service:

- Has participated with other federal land management agencies in conducting a complete review of the 2001 Federal Fire Policy.

- Now requires a technical review of all NPS prescribed burn plans by equally qualified peers who are not directly involved in the plan, adding a new element to ensure the safety of the burn plans and ultimately increasing collaboration and coordination between federal agencies, tribes, and state and local governments.
- Has new procedures in place to improve risk assessment and complexity analyses which are specifically designed to address concerns raised in both the initial Cerro Grande Investigation and the National Academy of Public Administration Phase I report on the Cerro Grande Fire.
- Has developed an agency administrator's checklist for a prescribed burn Go/No Go decision designed to increase the involvement of park superintendents in the implementation of prescribed burns and to increase the accountability of agency administrators in the prescribed burn process.
- Has new procedures in place to clearly define how to staff prescribed fires adequately.
- Now requires all NPS "burn bosses" – those directly in charge of the prescribed burn -- to attend a prescribed fire policy, procedures and guidelines workshop.
- The Intermountain Region brought together superintendents and fire management staff to ensure understanding of the content and implications of the new National Fire Plan and the 2001 Fire Appropriations Bill (P.L. 106-291). Other regions are holding similar sessions before the fire season.

Having begun to thoroughly address the questions raised about its policies and procedure, the NPS is also required to address what action needs to be taken with regard to the individuals involved in the Cerro Grande prescribed burn. The BOI was charged by the Director of the National Park Service to "Make written findings to the convening official for the purpose of recommending corrective action."

Based on its five-month inquiry, during which it interviewed 26 witnesses and participants, the BOI recommends no further action. The BOI report found that the NPS employees involved with the prescribed fire violated neither NPS policies nor regulations. After reading the report, I strongly concur. NPS employees are charged with implementing the law and policy that governs the service. If employees are to properly implement these policies as directed by the agency, that behavior has certain clear consequences. The BOI and other investigations found that direction provided by the agency was inadequate, and the agency's policies themselves had weaknesses. Therefore the employees implementing those policies with that guidance cannot fairly be held responsible for the result.

While the board found that the employees in question acted "within the parameters of policy, guidelines and regulations," the BOI did express concern about some aspects of the planning that went into the fire and the judgement exercised in the implementation of the prescribed burn by some of the individuals involved. Clearly, there were direct, immediate and long-lasting consequences for those NPS personnel involved in the prescribed burn. The three employees most directly involved were all transferred from Bandelier and reassigned. In addition, the superintendent of Bandelier at the time of the fire retired prematurely. None of their lives or careers will ever be the same.

Based on the considerations listed above, and on the work done by the BOI, I am hereby requiring that, for those individuals discussed in the BOI report who are still employed by the NPS, the course of action prescribed by the BOI for them in the "Individual Findings" section of

the report be followed to the letter. The BOI has recommended additional training and education for three of those individuals involved in the fire and in one case, re-certification. Those individuals have been directed to take the prescribed courses of training at the earliest possible opportunity. Consistent with the findings that no NPS law or policy was broken, no other disciplinary action will be taken.

A handwritten signature in cursive script that reads "Karen P. Wade".

Karen P. Wade